

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: MALZAHN

SERIAL NO.: 09/901,636

FILED: July 11, 2001

FOR: Device for determining the filling level of a filling material in a container

CONFIRMATION: 7902

GROUP ART UNIT: 2856

EXAMINER: A. K. Jackson

ATTY. REFERENCE: MALZ3001/FJD

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **Aug. 9, 2005**
of the Primary Examiner finally rejecting claims: **1 - 10 and 12**

The Appeal Fee is:

- ☒ enclosed ☒ \$500. ☐ \$250.
☐ not required (fee paid in prior appeal in this application).
☐ requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

☐ Small Entity Status is claimed.

☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

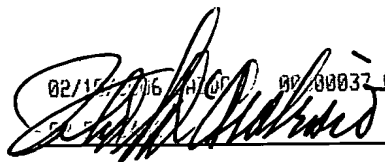
23364

Customer Number

Phone: (703) 683-0500

DATE: Feb. 9, 2006

Respectfully submitted,


02/15/2006 14:00:00 0000037 09901636 500.00 0P

Felix J. D'Ambrosio

Attorney for Applicant

Registration Number: 25,721